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Summary record of the 67th meeting
Held at Headquarters, New York, on Friday, 25 May 2001, at 10 a.m.

Chairman: Mr. Rosenthal ..... (Guatemala)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.25 a.m.

Agenda item 115: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*) (A/C.5/55/L.63)

Draft resolution A/C.5/55/L.63

1. **Mr. Elgammal** (Egypt) introduced draft resolution A/C.5/55/L.63.

2. *Draft resolution A/C.5/55/L.63 was adopted.*

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Report of the Office of Internal Oversight Services (*continued*) (A/C.5/55/L.61)

Draft resolution A/C.5/55/L.61

3. **Mr. Kelapile** (Botswana), Vice-Chairman, introduced draft resolution A/C.5/55/L.61.

4. *Draft resolution A/C.5/55/L.61 was adopted.*

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 123: Human resources management (*continued*)

Delegation of authority for management of human and financial resources in the United Nations Secretariat (*continued*) (A/C.5/55/L.62)

Draft decision A/C.5/55/L.62

5. **Mr. Chaudhry** (Pakistan) introduced draft decision A/C.5/55/L.62.

6. *Draft decision A/C.5/55/L.62 was adopted.*

Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General (*continued*) (A/C.5/55/L.88)

Draft decision A/C.5/55/L.88

7. **Mr. Nakkari** (Syrian Arab Republic) said that his delegation was satisfied at the approach being taken to the report of the Secretary-General contained in document A/55/928. He noted, however, that the Advisory Committee on Administrative and Budgetary Questions (ACABQ) had not made any comments on the regulations governing the officials mentioned in the report and wondered whether that indicated acceptance. The points relating to the International Civil Service Commission (ICSC) had been dealt with in the past and could be discussed later. With regard to the International Law Commission (ILC), article 2 of the proposed regulations should be amended to allow for review of activities conducted while on official missions, as most members of the Commission were also members of public institutions in their home countries.

8. His delegation agreed that the statute should not apply to the Joint Inspection Unit (JIU), which as an external body must maintain its independence. It therefore endorsed the reservations which JIU had expressed about the report and agreed with the position taken by the Secretary-General.

9. With regard to the Office of Internal Oversight Services (OIOS), his delegation did not endorse the provision contained in paragraph 20 of the report concerning the possible exemption of experts on mission from the proposed regulations. It, however, shared the Secretary-General's view that the issue as to whether the proposed regulations should apply to the JIU inspectors and the ICSC Chairman, Vice-Chairman and members was a matter to be decided by the General Assembly.

10. *Draft decision A/C.5/55/L.88 was adopted.*

Agenda item 117: Programme budget for the biennium 2000-2001 (*continued*)

Outline of the proposed programme budget for the biennium 2002-2003 for the International Trade Centre UNCTAD/WTO (*continued*) (A/C.5/55/L.78)

Draft decision A/C.5/55/L.78

11. *Draft decision A/C.5/55/L.78 was adopted.*

12. **Mr. Repasch** (United States of America) said that his delegation had joined the consensus on the draft decision on the understanding that the decision was being taken by Member States without prejudice to the decision to be taken later on the overall United Nations budget.

Agenda item 117: Programme budget for the biennium 2000-2001 (*continued*)

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Review of management and administration in the Registry of the International Court of Justice (*continued*) (A/C.5/55/L.82)

Draft resolution A/C.5/55/L.82

13. **Mr. Kelapile** (Botswana), Vice-Chairman, introduced draft resolution A/C.5/55/L.82.

14. *Draft resolution A/C.5/55/L.82 was adopted.*

Agenda item 122: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*) (A/C.5/55/L.79)

Draft decision A/C.5/55/L.79

15. *Draft decision A/C.5/55/L.79 was adopted.*

Agenda item 126: Report of the Secretary-General on the activities of the Office of Internal Oversight Services (*continued*) (A/C.5/55/L.86)

Draft resolution A/C.5/55/L.86

16. **Mr. Kelapile** (Botswana), Vice-Chairman, introducing draft resolution A/C.5/55/L.86, said that, the word "are" in the second line of paragraph 1 should be replaced by "would be". Following lengthy consultations, a consensus had been reached on the text of the draft resolution. He thanked delegations for the flexibility they had shown and hoped that similar backlogs of reports could be avoided in the future.

17. *Draft resolution A/C.5/55/L.86, as orally revised, was adopted.*

18. **Mr. Repasch** (United States of America) said that the adoption of the draft resolution on the OIOS reports was a major step forward. His delegation was disappointed, however, that the most recent annual report of OIOS had not been included. It looked forward to a discussion of the internal oversight mechanisms in operational funds and programmes.

19. **Mr. Gruzdev** (Russian Federation) welcomed the consensus that had been achieved on a question which had a long and difficult history.

20. **Mr. Lenefors** (Sweden), speaking on behalf of the European Union, said that many of the concerns that had been raised during the consideration of the draft resolution had been addressed in General Assembly resolution 54/244. It was his understanding that future OIOS reports would be in conformity with that resolution.

21. **Mr. Nakkari** (Syrian Arab Republic) thanked all delegations for the flexibility shown in arriving at a consensus. His delegation hoped that it would be possible to move forward and to avoid repeating the mistakes of the past.

22. **Ms. Silot Bravo** (Cuba) said she regretted that it had taken five years to resolve the issue of the annual reports of OIOS, especially since it could have been resolved following the adoption of General Assembly resolution 54/244. It was important to ensure that the General Assembly could play its proper role in considering and taking action on the reports of OIOS, so that the most effective use would be made of the Office's findings.

23 **Mr. Chaudhry** (Pakistan) said he was pleased that the Committee had finally addressed the question of all the annual reports which had been pending since the establishment of OIOS. Naturally, that important Office should work in accordance with the General Assembly' s guidelines. He hoped that all future OIOS reports would be consistent with the relevant General Assembly resolutions.

24. **Mr. Bouheddou** (Algeria) said he hoped that, with the adoption of the draft resolution, the errors which had caused the delays in the consideration of the reports of OIOS would not recur in the future.

25. **Mr. Ahmed** (Iraq) said that he appreciated the coordinator's efforts to achieve a consensus between his delegation and OIOS.

Agenda item 153: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

(a) Financing of the United Nations peacekeeping operations (*continued*)

Support account for peacekeeping operations (*continued*) (A/C.5/55/L.81)

Draft resolution A/C.5/55/L.81

26. **Mr. Crom** (Netherlands), introduced draft resolution (A/C.5/55/L.81).

27. *Draft resolution A/C.5/55/L.81 was adopted.*

28. **Mr. Nesser** (Sweden), speaking on behalf of the European Union, said that, at the current session, the lack of specific budget submissions for four of the largest peacekeeping operations made it difficult for national financial authorities to plan adequately for the increase in peacekeeping expenditure and to follow up on the justification for past expenditure. He hoped that, in future, the peacekeeping budget cycle would be properly restored and respected.

29. **Mr. Nakkari** (Syrian Arab Republic) said that his delegation had joined the consensus on draft resolution A/C.5/55/L.81 on the understanding that paragraph 10 would not in any way prejudice the substance or the presentation of the budget and that it would not prejudge future reports to the General Assembly on the implementation of the recommendations of the Panel on United Nations Peace Operations.

30. **Mr. Orr** (Canada), speaking also on behalf of Australia and New Zealand, said, with respect to paragraph 10 of the draft resolution, that the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation applied to all budgets. He expected that the budgets for individual peacekeeping operations would use the results-based budgeting format beginning in the next budget cycle. He looked forward to the submission of revised resource requirements for the support account prior to the fifty-sixth session. The expansion of peacekeeping operations, particularly in Africa, required adequate support at Headquarters. At the Committee's 59th meeting, Australia, Canada and New Zealand had referred to the planning difficulties caused by the different mandate periods of various peacekeeping missions. He reiterated their request that the Contributions Service, in consultation with the Peacekeeping Financing Division, should help Member States to pay their peacekeeping assessments in full and on time by providing them with a schedule indicating the anticipated timing of peacekeeping assessments for the next financial period.

31. **Mr. Chandra** (India) said that the Secretariat should take immediate action to implement paragraph 12 of the draft resolution, which called for the strengthening of the Finance Management and Support Service in the area of claims processing. He was concerned to note that the posts which the General Assembly had approved for the Claims and Information Management Section had been established not in that Section, but elsewhere. That had resulted in unacceptable backlogs in claims processing, much to the regret of troop-contributing countries. He hoped that remedial proposals to address that concern would be submitted to the General Assembly at its fifty-sixth session.

Financing of the United Nations Logistics Base at Brindisi, Italy (*continued*) (A/C.5/55/L.90)

Draft resolution A/C.5/55/L.90

32. **Ms. Merchant** (Norway), introduced draft resolution A/C.5/55/L.90.

33. *Draft resolution A/C.5/55/L.90 was adopted.*

Reports of the Office of Internal Oversight Services (continued) (A/C.5/55/L.85)

Draft decision A/C.5/55/L.85

34. **Mr. Kelapile** (Botswana), Vice-Chairman, introducing draft decision A/C.5/55/L.85 on the reports of the Office of Internal Oversight Services on a number of peacekeeping missions, said that, by adopting the draft decision, the Committee would recommend that the General Assembly should reiterate its previous decision that reports of the Office of Internal Oversight Services should be considered under the relevant items of the Assembly's agenda.

35. *Draft decision A/C.5/55/L.85 was adopted.*

36. **Ms. Silot Bravo** (Cuba) recalled that the General Assembly had earlier decided that thematic reports of OIOS which related to the work of other Main Committees should be considered by those Committees

under the relevant agenda items. She hoped that the Secretariat would act on that decision and that the Fifth Committee would be informed of the results of the deliberations of other intergovernmental bodies and Main Committees with respect to topics dealt with in OIOS reports.

Experiences learned from the use of resident auditors at peacekeeping missions (*continued*) (A/C.5/55/L.92)

Draft resolution A/C.5/55/L.92

37. **Mr. Orr** (Canada) introduced draft resolution A/C.5/55/L.92.

38. *Draft resolution A/C.5/55/L.92 was adopted.*

39. **Mr. Nakkari** (Syrian Arab Republic) said that his delegation had joined the consensus on the draft resolution in the light of the Secretariat's indication that the draft resolution would not have any financial implications for the resources of OIOS and in the light of paragraph 6 of the Advisory Committee's report (A/55/828). An appropriate mechanism should be established whereby resident auditors would not remain at a given peacekeeping mission for more than two years.

Death and disability benefits (*continued*) (A/C.5/55/L.91)

Draft decision A/C.5/55/L.91

40. **Mr. Ramos** (Portugal), Rapporteur, introduced draft decision A/C.5/55/L.91.

41. *Draft decision A/C.5/55/L.91 was adopted.*

Prorated share of the costs of the support account and of the United Nations Logistics Base at Brindisi, Italy, to be apportioned to each peacekeeping mission (A/C.5/55/43)

42. **Mr. Yeo** (Director, Peacekeeping Financing Division) introduced the note by the Secretary-General on the apportionment of the costs of the support account and of the United Nations Logistics Base among the individual peacekeeping operations (A/C.5/55/43). Information on the apportionment of those costs was always submitted late in the session because the General Assembly had decided that the resources approved for the Logistics Base and the support account should not be appropriated separately, but should be reflected in the individual resolutions adopted on the financing of each peacekeeping operation.

43. Table A of the annex to the note showed the recommended appropriations in respect of missions for which budgets had already been submitted. In order to avoid distorting the assessment rates for active peacekeeping operations, as recommended by the Advisory Committee (A/55/882, para. 27), the table also showed the basis for calculating the prorated shares of the five missions in transition for which budgets had not yet been submitted. For those five missions, the current (2000-2001) budget levels had been used to determine their shares of the costs of the Logistics Base and of the support account. Table B showed the appropriation and commitment authority amounts resulting from the inclusion of the prorated shares indicated in table A. Because some of the figures had been rounded off, not all of the amounts in table B added up to the exact totals shown in the table. A corrigendum would be issued to correct those minor discrepancies.

44. **The Chairman** said he took it that the Committee wished to take note of the information contained in the note by the Secretary-General (A/C.5/55/43).

45. *It was so decided.*

Agenda item 129: Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola (*continued*) (A/C.5/55/L.64)

Draft resolution A/C.5/55/L.64

46. **The Chairman** drew the Committee's attention to draft resolution A/C.5/55/L.64, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

47. *Draft resolution A/C.5/55/L.64 was adopted.*

Agenda item 130: Financing of the activities arising from Security Council resolution 687 (1991) (*continued*)

(a) United Nations Iraq-Kuwait Observation Mission (*continued*) (A/C.5/55/L.69)

Draft resolution A/C.5/55/L.69

48. **Mr. Christian** (Ghana) introduced draft resolution A/C.5/55/L.69.

49. **Mr. Chandra** (India) said that the draft resolution under consideration and several others to be taken up by the Committee at its current meeting had been issued with blanks pending calculation of the prorated share of each peacekeeping mission in the financing of the support account for peacekeeping operations and the United Nations Logistics Base at Brindisi. In order to save time, the Committee should depart from its usual practice of having the Secretariat read out those amounts, along with the appropriation for each mission, before it took action on the draft resolutions, since that information was provided in the note by the Secretary-General on the support account for peacekeeping operations and the financing of the United Nations Logistics Base at Brindisi, Italy (A/C.5/55/43).

50. *It was so decided.*

51. *Draft resolution A/C.5/55/L.69 was adopted.*

Agenda item 132: Financing of the United Nations Mission in Sierra Leone (*continued*) (A/C.5/55/L.65)

Draft resolution A/C.5/55/L.65

52. The Chairman drew the Committee's attention to draft resolution A/C.5/55/L.65, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

53. **Mr. Yeo** (Director, Peacekeeping Financing Division) said that the fourth preambular paragraph should read as follows:

> "*Reaffirming* the general principles underlying the financing of the United Nations peacekeeping operations as stated in General Assembly resolutions 1874 (S/4) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,"

54. *Draft resolution A/C.5/55/L.65, as orally revised, was adopted.*

Agenda item 133: Financing of the United Nations Interim Administration Mission in Kosovo (*continued*) (A/C.5/55/L.68)

Draft resolution A/C.5/55/L.68

55. **Ms. Merchant** (Norway) introduced draft resolution A/C.5/55/L.68.

56. *Draft resolution A/C.5/55/L.68 was adopted.*

Agenda item 134: Financing of the United Nations Transitional Administration in East Timor (*continued*) (A/C.5/55/L.89)

Draft resolution A/C.5/55/L.89

57. **Mr. Chandra** (India), Vice-Chairman, introduced draft resolution A/C.5/55/L.89.

58. *Draft resolution A/C.5/55/L.89 was adopted.*

Agenda item 135: Financing of the United Nations Mission for the Referendum in Western Sahara (*continued*) (A/C.5/55/L.66)

Draft resolution A/C.5/55/L.66

59. **The Chairman** drew the Committee's attention to draft resolution A/C.5/55/L.66, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

60. *Draft resolution A/C.5/55/L.66 was adopted.*

Agenda item 136: Financing of the United Nations Mission of Observers in Tajikistan (*continued*) (A/C.5/55/L.70)

Draft resolution A/C.5/55/L.70

61. **Mr. Yamanaka** (Japan) introduced draft resolution A/C.5/55/L.70.

62. *Draft resolution A/C.5/55/L.70 was adopted.*

Agenda item 137: Financing of the United Nations Preventive Deployment Force (*continued*)
(A/C.5/55/L.73)

Draft decision A/C.5/55/L.73

63. **Mr. Chandra** (India), Vice-Chairman, introduced draft decision A/C.5/55/L.73.

64. *Draft decision A/C.5/55/L.73 was adopted.*

Agenda item 138: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(b) United Nations Interim Force in Lebanon (*continued*) (A/C.5/55/L.77)

Draft resolution A/C.5/55/L.77

65. **The Chairman** recalled that, in introducing the draft resolution at the Committee's 65th meeting, the representative of the Islamic Republic of Iran, on behalf of the Group of 77 and China, had orally revised paragraphs 22 and 24 by replacing the words "the scheme set out in" with the words "paragraph 20 of".

66. **Mr. Wittmann** (United States of America) asked whether the oral revision proposed by the representative of the Islamic Republic of Iran was limited to paragraphs 22 and 24 of the draft resolution.

67. **The Chairman** confirmed that it was so limited.

68. **Ms. Barghouti** (Observer for Palestine), speaking on behalf of the Group of Arab States, recalled that, in paragraph 14 of its resolution 55/180, the General Assembly had stressed that Israel should pay a specific amount in compensation for the damage that had resulted from the incident at Qana on 18 April 1996 and had requested the Secretary-General to report on the matter to the Assembly at its resumed fifty-fifth session. Israel, however, had failed to abide by the various resolutions of the Assembly on the matter and the Group of Arab States had therefore requested that the paragraphs concerning the incident at Qana should be reintroduced in the draft resolution on the United Nations Interim Force in Lebanon (UNIFIL). The international community, represented by the Fifth Committee, should now adopt the draft resolution with all its amendments and reaffirm Israel's liability for the damage that had resulted from the incident at Qana.

69. The Group of Arab States wished to express its gratitude to UNIFIL for the positive role that it played and for the enormous sacrifices that its mission entailed.

70. *At the request of the representative of the United States of America, a recorded vote in one block was taken on the fourth preambular paragraph and on operative paragraphs 2, 3 and 15 of the draft resolution, as orally revised.*

In favour:

Algeria, Angola, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mauritania, Mauritius, Mexico, Morocco, Namibia, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen.

Against:

Israel, United States of America.

Abstaining:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

71. *The fourth preambular paragraph and operative paragraphs 2, 3 and 15 of draft resolution A/C.5/55/L.77, as orally revised, were adopted by 69 votes to 2, with 40 abstentions.*

72. **Mr. Wittmann** (United States of America) said that the United States strongly supported UNIFIL and its mission in Lebanon. Regrettably, however, the focus of the draft resolution, which should properly be concerned only with funding arrangements, had been

shifted by the insertion of text of a political nature. It was for that reason that his delegation had requested a separate vote in one block on the fourth preambular paragraph and on operative paragraphs 2, 3 and 15 of the draft text.

73. *At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution as a whole, as orally revised.*

In favour:

Algeria, Andorra, Angola, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against:

Israel, United States of America.

74. *Draft resolution A/C.5/55/L.77 as a whole, as orally revised, was adopted by 113 votes to 2.*

75. **Mr. Nesser** (Sweden), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey, said that the position of the European Union on the financial aspects related to the Qana incident was based on a number of elements: the costs resulting from the incident were of a specific kind; an appeal to have the costs financed through voluntary contributions would be welcome; the costs should be kept in the budget; and the financing of the United Nations peacekeeping operations should continue to be a collective responsibility.

76. The delegations on whose behalf he spoke had abstained in the vote on the fourth preambular paragraph and on operative paragraphs 2, 3 and 15 of the draft resolution because they considered that the text, as drafted, was inappropriate in the context of a resolution dealing with the financing of UNIFIL. The broader political aspects of the events, including the incident at Qana, had been debated in the General Assembly in April 1996 and had resulted in the adoption of Assembly resolution 50/22 C. The European Union had made its position on those aspects clear at that time and wished to underline that the consultations in the Fifth Committee should have been confined to the budgetary aspects of the item.

77. **Mr. Yamanaka** (Japan) said that his delegation had voted in favour of the draft resolution as a whole in order to discharge its responsibility as a Member of the Organization for the funding of United Nations peacekeeping operations. He regretted the Committee's failure to reach a consensus on the draft text, thereby necessitating a vote.

78. **Mr. Fox** (Australia), speaking also on behalf of Canada and New Zealand, said that the delegations on whose behalf he spoke had voted in favour of the draft resolution in order to ensure that arrangements were in place for the financing of UNIFIL. He regretted the Committee's failure to achieve a consensus. The draft paragraphs on which a separate vote had been taken undermined the Organization's longstanding budgetary principles, which were based on collective responsibility. In that connection, he urged all Member States that had not yet done so to pay their assessed contributions in full and without further delay.

79. **Mr. Assaf** (Lebanon) said that, far from politicizing the issue, the draft resolution and amendments thereto were concerned only with financial issues and with the amount that had been specified by the Secretary-General as compensation to the Organization for the damage caused to its headquarters by Israel. It was not a question of

compensation for Lebanon and the Lebanese civilians who had been killed.

80. His delegation agreed that the cost of United Nations peacekeeping operations should be the collective responsibility of the Organization's Members. That did not mean, however, that any Member State could deliberately bomb a United Nations headquarters and then expect other Member States to pay for the damage. Such conduct violated the basic principles of collective responsibility and international law. History was replete with examples of States having to pay compensation for aggression committed against other States. Following the bombing by one State of the embassy of another during the North Atlantic Treaty Organization (NATO) war against Yugoslavia, the aggressor State had accepted its responsibility and had paid compensation of $28 million to the victim State.

81. **Mr. Nakkari** (Syrian Arab Republic) said that his delegation fully supported the statements made by the representatives of the Islamic Republic of Iran and Lebanon and by the Observer for Palestine. The necessity for a vote on the draft resolution was the result of the failure of the aggressor State to accept its responsibility. While some viewed the draft resolution as politicization of the Committee's work, implementation of the relevant resolutions of the General Assembly would preclude the need for future voting to take place.

82. **Mr. Adam** (Israel) said that his delegation was fully in agreement with the statements made by the representatives of Australia, also on behalf of Canada and New Zealand, Japan, the United States of America and Sweden on behalf of the European Union and associated countries. His delegation would make a statement on the matter in the General Assembly.

The meeting rose at 1.05 p.m.

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Summary record of the 68th meeting
Held at Headquarters, New York, on Friday, 25 May 2001, at 5 p.m.

Chairman. Mr. Rosenthal ..... (Guatemala)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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Agenda item 143: Financing of the United Nations Peacekeeping Force in Cyprus (*continued*)

Agenda item 144: Financing of the United Nations Observer Mission in Georgia (*continued*)

Agenda item 148: Financing of the United Nations Mission in Bosnia and Herzegovina (*continued*)

Agenda item 150: Financing of the United Nations Support Mission in Haiti, the United Nations Transition Mission in Haiti and the United Nations Civilian Police Mission in Haiti (*continued*)

Agenda item 152: Financing of the United Nations Mission in the Central African Republic (*continued*)

Agenda item 167: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*)

Agenda item 176: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*)

Agenda item123: Human resources management (*continued*)

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01-38561 (E)

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Action taken on certain documents (*continued*)

Agenda item 153: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

(a) Financing of the United Nations peacekeeping operations (*continued*)

Agenda item 138: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(a) United Nations Disengagement Observer Force (*continued*)

Other matters

Completion of the work of the Fifth Committee at the second part of the resumed fifty-fifth session of the General Assembly

The meeting was called to order at 5.10 p.m.

Agenda item 140: Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (*continued*)
(A/C.5/55/L.74)

Draft resolution A/C.5/55/L.74

1. **The Chairman** introduced draft resolution A/C.5/55/L.74, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

2. *Draft resolution A/C.5/55/L.74 was adopted.*

3. **Ms. Nesser** (Sweden), speaking on behalf of the European Union, said that when the Committee had adopted peacekeeping budgets and negotiated the peacekeeping scale of assessments, the European Union had repeatedly affirmed its strong commitment to United Nations peacekeeping as a core function of the Organization. While it joined the consensus on draft resolution A/C.5/55/L.74, it was concerned that not every peacekeeping budget would be fully covered if Member States failed to honour their obligations to pay their assessed contributions. In the case of the United Nations Protection Force (UNPROFOR), the situation made it impossible either to credit the unencumbered balance of more than 174 million dollars to Member States that had fulfilled their obligations or to reimburse troop contributors, thereby aggravating the Organization's financial difficulties and potentially jeopardizing the implementation of other peacekeeping operations. The European Union was not prepared to accept an increase in its effective share in the recently agreed scale of assessments in order to offset non-payment by certain Member States.

Agenda item 143: Financing of the United Nations Peacekeeping Force in Cyprus (*continued*)
(A/C.5/55/L.71)

Draft resolution A/C.5/55/L.71

4. **Mr. Yamanaka** (Japan) introduced draft resolution A/C.5/55/L.71 on behalf of the Chairman. The draft resolution addressed the treatment of the unencumbered balance for the previous financial period, the budget for the forthcoming period and other important matters.

5. *Draft resolution A/C.5/55/L.71 was adopted.*

Agenda item 144: Financing of the United Nations Observer Mission in Georgia (*continued*)
(A/C.5/55/L.72)

Draft resolution A/C.5/55/L.72

6. **Mr. Yamanaka** (Japan), introducing draft resolution A/C.5/55/L.72 on behalf of the Chairman, said that the draft resolution dealt with the treatment of the unencumbered balance for the previous financial period, appropriations and assessments for the maintenance of the Mission in Georgia for the next period and other important matters.

7. *Draft resolution A/C.5/55/L.72 was adopted.*

Agenda item 148: Financing of the United Nations Mission in Bosnia and Herzegovina (*continued*)
(A/C.5/55/L.75)

Draft resolution A/C.5/55/L.75

8. **The Chairman** introduced draft resolution A/C.5/55/L.75, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

9. *Draft resolution A/C.5/55/L.75 was adopted.*

Agenda item 150: Financing of the United Nations Support Mission in Haiti, the United Nations Transition Mission in Haiti and the United Nations Civilian Police Mission in Haiti (*continued*)
(A/C.5/55/L.76)

Draft resolution A/C.5/55/L.76

10. **The Chairman** introduced draft resolution A/C.5/55/L.76, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

11. *Draft resolution A/C.5/55/L.76 was adopted.*

Agenda item 152: Financing of the United Nations Mission in the Central African Republic (*continued*) (A/C.5/55/L.67)

Draft resolution A/C.5/55/L.67

12. **Mr. Christian** (Ghana) introduced draft resolution A/C.5/55/L.67 on behalf of the Chairman. The draft resolution dealt with the crediting of the unencumbered balance for the period ending 30 June 2000.

13. *Draft resolution A/C.5/55/L.67 was adopted.*

Agenda item 167: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*) (A/C.5/55/L.83)

Draft resolution A/C.5/55/L.83

14. **Mr. Kelapile** (Botswana), Vice-Chairman, introduced draft resolution A/C.5/55/L.83.

15. *Draft resolution A/C.5/55/L.83 was adopted.*

Agenda item 176: Financing of the United Nations Mission in Ethiopia and Eritrea (*continued*) (A/C.5/55/L.80)

Draft resolution A/C.5/55/L.80

16. **Mr. Kelapile** (Botswana), Vice-Chairman, introduced draft resolution A/C.5/55/L.80.

17. *Draft resolution A/C.5/55/L.80 was adopted.*

Agenda item 123: Human resources management (*continued*) (A/C.5/55/L.87)

Draft resolution A/C.5/55/L.87

18. **Mr. Chaudhry** (Pakistan) introduced draft resolution A/C.5/55/L.87, which he had earlier submitted on behalf of the Chairman. A number of editorial changes and some substantive changes would have to be made to the draft resolution in order to bring it into line with the text that had been agreed upon in informal consultations on 23 May. Substantive changes must be made to paragraph 16 of section IV, which should read: "*Regrets* that the provisions of paragraph 22, part V, of resolution 53/221 were not fully complied with, which led to candidates from over-represented countries taking the G to P examination in February 2000, and decides, as a one-time exception, to allow the movement of successful candidates from the G to P examination of 2000 from the General Service to the Professional category".

19. Substantive amendments should also be made to paragraph 17 of section IV, which should read: "*Notes* the efforts made by the Secretary-General to align the G to P examination with the national competitive examinations, as required under paragraph 22, part V, of resolution 53/221, and decides that henceforth recruitment of qualified staff from the General Service to the Professional category should be limited to the P-1 and P-2 levels and be permitted up to 10 per cent of the appointments at those levels".

20. The draft resolution had 15 sections and dealt with the human resources management reform package proposed by the Secretary-General and several other issues of far-reaching importance for the management of the Secretariat. It reflected the agreement that had been reached on contractual arrangements and the administration of justice, issues to which a great deal of time had been devoted in informal consultations, as well as on other vital elements of the reform package, including mobility, delegation of authority and accountability. It also resolved a number of recruitment and placement issues, including the long-standing issue of the examination for movement from the General Service to the Professional category, representing a delicate balance of all views expressed; the issue of the 2000 General Service to Professional examination in particular; and the question of the very definition of recruitment and placement. The draft resolution provided for the recruitment of qualified staff from the General Service category at the P-1 and P-2 levels against 10 per cent of the applications at those levels. Although it was not explicitly stated, it had been the clear understanding in the informal consultations that that would be done in accordance with existing practice.

21. All participants in the informal consultations had displayed an outstanding spirit of cooperation. The delay in the negotiations had been due to the enormity of the task of having to negotiate many complex issues with far-reaching implications in a very short time. The draft resolution was clearly worded and had no ambiguities or grey areas, thanks, in large part, to the cooperation and support of the Office of Human Resources Management, which had provided extensive written and verbal explanations to Committee members during their consultations. He also wished to thank, in

particular, the Presidency of the European Union and the Chairman of the Group of 77 and China for their work.

22. **Mr. Niiya** (Japan), speaking in explanation of position before action was taken on the draft resolution, expressed the hope that the draft resolution would lead to a more equitable geographic representation in the Secretariat. He urged the Secretary-General to improve the representation of under-represented Member States. His delegation had joined the consensus under which the recruitment of General Service staff to Professional posts was to be limited to 10 per cent of appointments at the P-1 and P-2 levels, in the hope that the provision would improve the current situation. If the Organization wished to retain skilled staff, the latter must be given the opportunity to develop their careers. Mobility, too, was clearly a key factor and it was important that the provisions of section V should be implemented. Lastly, given that the process of recruitment, placement and promotion was too slow and cumbersome, thus preventing the Organization from attracting the best candidates, strenuous efforts should be made to achieve the target of completing the process within 120 days.

23. **The Chairman** confirmed that the draft resolution contained elements in addition to the text appearing in document A/C.5/55/L.87 and over and above the oral amendments that had been proposed by the representative of Pakistan.

24. *Draft resolution A/C.5/55/L.87, as orally revised, was adopted.*

25. **Mr. Mirmohammad** (Islamic Republic of Iran), speaking on behalf of the Group of 77 and China, said that implementation of the draft resolution, with its provision for well-designed mechanisms of accountability, would improve the Organization's human resources management. The Office of Human Resources Management would play an important role in monitoring the process and the Group of 77 and China would follow with interest the development and timescale of such monitoring. The Group of 77 and China also looked forward to the implementation of section XI, especially the measures to close the gap between the statutes of the United Nations Administrative Tribunal and the Administrative Tribunal of the International Labour Organization.

26. **Ms. Aguinaldo** (Philippines) welcomed the fact that the draft resolution recognized the Organization's most valuable asset, its staff, and ensured that merit and competence were appreciated. Despite the reduction of the limit on the number of General Service staff permitted to pass to the Professional category, an avenue for upward movement remained.

27. **Mr. Chandra** (India) said that efforts to secure staff with the highest standards of efficiency, competence and integrity should continue. To that end, the eventual reduction of recruitment time to 120 days would be welcome. With regard to the examination for promotion from the General Service to the Professional category, it was heartening that the existing practice would be maintained, even though that fact was not spelled out in the text. In that connection, he trusted that the provisions contained in section IV, paragraph 17, would equally apply to paragraph 16. Lastly, it was important that the Secretariat should take due account of the first preambular paragraph of section IV in interpreting paragraph 4 of section X.

28. **Mr. Abdalla** (Libyan Arab Jamahiriya) said that the Secretary-General must ensure that the study provided for in paragraph 4 of section X was submitted to the General Assembly early enough during the main part of its fifty-sixth session in order to facilitate the approval of the budget of the Office of Human Resources Management. His delegation also looked forward to the establishment of a robust monitoring capacity, in compliance with the first preambular paragraph of section VII.

29. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that the adoption of the draft resolution constituted a vote of confidence for the Secretary-General's vision: the United Nations would be able to become more responsive to the mandates entrusted to it by Member States through better management of its major resource, the staff. The consensus text, which had been achieved through an arduous progress of evaluation and negotiation at all hours of the day and night, gave the green light to proceed with the implementation of a reform programme that would enable the Organization to recruit, develop and manage staff more effectively. Managers would be able to make the final selection of their own staff and staff movement across functions, occupations, departments and duty stations would be facilitated. The Secretariat would, however, be mindful of the Committee's wish for accountability, monitoring and control of the manner in which delegated authority was exercised.

30. She welcomed the decision to maintain the examination for promotion from the General Service to the Professional category, to which she attached great importance, and the approval given to the Secretary-General's proposal to establish the function of ombudsman, which would go a long way towards establishing a culture of increased trust. Her Office would do its best to carry out the decision of the General Assembly in the spirit in which it was intended. She undertook to submit to the Committee the reports and studies that had been requested in the draft resolution.

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/C.5/55/L.93)

Action taken on certain documents (continued)

Draft decision A/C.5/55/L.93

31. *Draft decision A/C.5/55/L.93 was adopted.*

Agenda item 153: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

(a) Financing of the United Nations peacekeeping operations (*continued*) (A/C.5/55/L.94)

Draft resolution A/C.5/55/L.94

32. **Mr. Ramos** (Portugal), Rapporteur, introduced draft resolution A/C.5/55/L.94 concerning reformed procedures for determining reimbursement to Member States for contingent-owned equipment and troop costs.

33. **Mr. Chandra** (India), supported by **Mr. Elgammal** (Egypt), said that it was his recollection that it had been decided in the informal consultations that the date 1 July 2001 should not appear in paragraph 10 and that the words "ad hoc" should be replaced by "additional" in paragraph 11.

34. **Mr. Ramos** (Portugal), Rapporteur, said that according to his records reference to the date in paragraph 10 was to be retained. The previous speakers were correct regarding paragraph 11; there had been a typographical error.

35. *Draft resolution A/C.5/55/L.94, as orally corrected, was adopted.*

The meeting was suspended at 6.35 p.m. and resumed at 6.55 p.m.

Agenda item 138: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(a) United Nations Disengagement Observer Force (*continued*) (A/C.5/55/L.84)

Draft resolution A/C.5/55/L.84

36. **The Chairman** introduced draft resolution A/C.5/55/L.84, which had been submitted by the representative of Croatia and Vice-Chairman of the Committee.

37. **Mr. Nakkari** (Syrian Arab Republic), speaking in explanation of position before action was taken on the draft resolution, said that concerns regarding the difficulties faced by local staff, which were acknowledged in the last preambular paragraph and the first three operative paragraphs of the draft resolution, had not been fully addressed, particularly with regard to making allowance for difficulties resulting from the relocation of the headquarters of the Force from Damascus to Camp Faouar. It was not the first time the General Assembly had referred to such hardships.

38. In paragraph 2 of its resolution 54/266, the General Assembly had requested the Secretary-General to continue the process of improving the working conditions of the local staff, including by making allowance for difficulties resulting from the relocation of the headquarters of the Force. That request had not been implemented by the Secretariat, perhaps because of considerations relating to departments other than the Department of Peacekeeping Operations. Resolutions of the General Assembly were directed to the Secretary-General, who should ensure that the General Assembly's concerns were addressed. If the problem related to the Office of Human Resources Management, the Secretary-General should deal with that Office even if the act concerned fell within the remit of the Department of Peacekeeping Operations. There was a tendency for departments to assume that General Assembly resolutions could be interpreted by them and implemented or not implemented by them. His delegation had very strong reservations regarding that understanding of the functions and mandates of the General Assembly. Because of the failure to fully implement paragraph 2 of General Assembly resolution 54/266, the Committee had requested the Secretary-

General in paragraph 3 of the draft resolution to take concrete measures to ensure the full implementation of the matter and to report thereon to the General Assembly at its first resumed fifty-sixth session. His delegation hoped that it would not be necessary to return to the question yet again because of a wrong understanding on the part of some Secretariat departments. General Assembly resolutions must not be subject to interpretation by Secretariat departments. They were orders to be carried out by the Secretariat.

39. His delegation had accepted that a report on the matter would be submitted to the General Assembly at its first resumed fifty-sixth session in light of the understanding that the Secretariat would face technical difficulties in submitting such a report in the main part of the session. Based on that understanding, the Secretariat should spare no effort in implementing without delay both the mandate and the letter and spirit of the draft resolution.

40. Lastly, he wished to draw attention to an editorial error in the first line of paragraph 12 of the Arabic version of the draft resolution. The words "and conclusions" should be deleted.

41. *Draft resolution A/C.5/55/L.84 was adopted.*

Other matters

42. **Mr. Nakkari** (Syrian Arab Republic) said that documents were often issued late but were dated a month earlier than they appeared. The result was that, despite the accompanying statement that delegations should correct errors within a week of the date of publication, in practical terms such corrections were impossible. Under the rules of procedure, draft resolutions were also meant to be distributed 15 days before their consideration, but several texts relating to the main session of the General Assembly had still not been distributed. He deplored the fact that documents sometimes appeared on the Internet before they had been issued in all six official languages, despite the clear injunction in General Assembly resolutions that such a practice should be avoided. The Economic and Social Council and some committees should be instructed to respect the injunction.

43. With regard to the phrase "take note", its precise meaning should be clarified by a member of the Office of Legal Affairs so that it was understood throughout the Organization. Until such an explanation was provided, his delegation could not be assumed to have accepted the legal opinion contained in document A/C.5/55/42, annex II.

44. **Mr. Elgammal** (Egypt) expressed the hope that advance copies of draft resolutions would in future be distributed to the coordinators concerned before being issued, so that the coordinators could make sure that the texts were correct. That would spare the Committee some of the problems it had encountered with certain draft resolutions.

45. **Mr. Chaudhry** (Pakistan), referring to the legal opinion regarding the expression "taking note of" rendered upon request by the Legal Counsel in document A/C.5/55/42, said that in the absence of further comments by the organ concerned, it was the opinion of the Legal Counsel that "taking note of" constituted authorization of the course of action contained in a report. In other words, it meant approval of the matter contained in a report. The opinion had very serious implications. The term was used throughout the United Nations and the practice was that the General Assembly merely "took note of" those reports which did not require a decision and neither debated nor adopted resolutions on those reports unless specifically required to do so by the Secretary-General or the organ concerned. The time had come for the Committee to discuss the issue seriously because "taking note of" had been regarded as a very neutral term amounting to "taking cognizance of the fact that there was a report". It should not be construed as "approval". It had been a useful fall-back position for delegations and it was important to continue to be clear and concise in interpreting it. Pakistan wished to endorse the request that the subject to be placed on the Committee's agenda at the fifty-sixth session of the General Assembly and that it be discussed in the presence of representatives of the Office of Legal Affairs.

46. **The Chairman** said that the Bureau of the Committee had continued its dialogue with the Office of Legal Affairs and had insisted on clarification of the legal opinion. Concerns remained, however, and it was his intention to obtain such clarification before the Assembly's fifty-sixth session. As for the volume of paperwork, it was certainly very large, and on more than one occasion the Committee had had to compete with others for the time of editorial staff. Nevertheless, it should be recognized that the proportion of documents distributed in good time and in all six languages was quite high.

Completion of the work of the Fifth Committee at the second part of the resumed fifty-fifth session of the General Assembly

47. **The Chairman**, following the usual exchange of courtesies, declared that the Committee had concluded its work at the second part of the resumed fifty-fifth session of the General Assembly.

The meeting rose at 7.25 p.m.

United Nations A/C.5/55/SR.69

General Assembly
Fifty-fifth session

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Fifth Committee

Summary record of the 69th meeting
Held at Headquarters, New York, on Friday, 20 July 2001, at 10.30 a.m.

Chairman: Mr. Rosenthal ..... (Guatemala)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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Letter dated 5 July 2001 from the President of the General Assembly addressed to the Chairman of the Fifth Committee

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01-46366 (E)

The meeting was called to order at 10.40 a.m.

Agenda item 117: Programme budget for the biennium 2000-2001 (*continued*) (A/C.5/55/45 and A/55/L.82)

Programme budget implications of draft resolution A/55/L.82 (A/C.5/55/45 and A/55/L.82)

1. **Mr Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) introduced the statement submitted by the Secretary-General (A/C.5/55/45) concerning the programme budget implications of draft resolution A/55/L.82 for the bienniums 2000-2001 (paras. 2-4) and 2002-2003 (paras. 5-11). For the biennium 2000-2001, activities relating to the International Conference on Financing for Development as well as conference-servicing costs for the Preparatory Committee would be funded within existing resources, with any additional requirements to be reviewed at the fifty-sixth session of the General Assembly in the context of the second programme budget performance report for the biennium. Activities to be implemented in 2002 had not been included in the proposed programme budget for the biennium 2002-2003 and the additional requirements for those activities in 2002 were estimated to be $295,100, under Section 9 (para. 6), 11A (para. 7), 16-20 (para. 8) and 26 (para. 9). Conference-servicing requirements for 2002 under Section 2 (paras. 10-11) for two meetings a day for five days were estimated at $858,700, to be covered by resources to be approved for the calendar of conferences in 2002-2003. Additional expenditures with regard to the convening of the Conference would be borne by the host government (para. 11). The Advisory Committee supported the Secretary-General's proposal (para. 12) that the additional requirements of $295,100 relating to activities to be carried out in 2002 in the context of the preparatory process of the International Conference on Financing for Development should be subject to the procedures for the use and operation of the contingency fund for the biennium 2002-2003. He recalled that the General Assembly, in paragraph 14 of resolution 55/233, had approved a contingency fund of $18.9 million for the biennium 2002-2003, to which the additional requirements of $295,100 would be charged.

2. **Mr. Nakkari** (Syrian Arab Republic) said that statements made by the Chairman of the Advisory Committee should be provided in writing in the official languages of the Organization. Noting that the current biennium was not yet completed, he wondered why it was necessary to act immediately on the $295,100 in additional requirements for 2002. Referring to conference-servicing needs (paras. 3, 4, 10 and 11), he expressed concern about provisos concerning the financing of activities in 2001 "to the maximum extent possible, within the resources available" (para. 3) and stressed the importance of ensuring adequate financing not only for planned activities, but also for unforeseen eventualities such as the need for additional meetings.

3. **Ms. Bentley-Anderson** (United States of America) said her delegation had no objection to activities being funded to the extent possible within the budget for the biennium 2000-2001; she noted that paragraphs 4 and 5 implied that, while no additional requirements were foreseen, any unforeseen requirements would be dealt with within the context of the second performance report for the biennium 2000-2001. Her delegation, however, opposed charging the additional cost of $295,100 for 2002 activities to the contingency fund for the biennium 2002-2003. That relatively small amount could be spread over eight sections and be easily absorbed within the existing budget request for the biennium 2002-2003. The use of the contingency fund was not justifiable.

4. **Mr. Lewyllie** (Belgium), speaking on behalf of the European Union, said that, while it was technically possible to charge the additional requirements to the contingency fund, he wondered why no amendments had been presented to the budget for the biennium 2002-2003.

5. **Mr. Chandra** (India) asked whether the Chairman of the Advisory Committee could confirm that the proposal being made was in accordance with the programme planning and budgetary procedures of the United Nations. If that were indeed the case, paragraph 12 of the Secretary-General's statement on action required by the General Assembly should be approved.

6. **Mr. Orr** (Canada), while recognizing that the procedure being proposed was technically correct and that the contingency fund for 2002-2003 had already been established, felt it was somewhat illogical to be adding additional requirements to a budget which the Committee had not yet seen or approved. It seemed that any additional costs could be absorbed within existing

resources for 2001 but not for 2002-2003. Perhaps some formulation could be found whereby, without mentioning any specific amount, the Committee would take note of the possible budget implications mentioned in paragraph 12 and indicate that any such additional requirements would be considered within the context of the programme budget review during the fifth-sixth session.

7. **Mr. Fujii** (Japan) expressed concern that the additional requirements under Section 11A for a two-day seminar on market access to be organized by the United Nations Conference on Trade and Development (UNCTAD) (para. 7) might have an impact on the ongoing discussions on servicing requirements within the context of the preparatory process for the Conference.

8. **Mr. Chaudhry** (Pakistan) regretted the systematic opposition to any use of the contingency fund. Tremendous progress had been made towards preparation of the Conference and there had truly been unforeseen costs; the proposal was technically and procedurally sound and should be adopted. If some delegations preferred, however, he would not object to some formulation providing for further review at the next session.

9. **Mr. Lossifov** (Russian Federation) asked the Secretariat to clarify whether the amount of $858,700 for servicing the Conference (paras. 10 and 11) had been included in estimates already submitted and approved or whether that sum represented an increase in costs.

10. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the $858,700 under section 2 would be covered by appropriations for the calendar of conferences and did not represent at that time an additional request. With regard to concerns raised by the representative of Canada regarding the procedure being followed, he explained that, in accordance with General Assembly resolution 41/213 which had established the contingency fund and subsequent resolutions regarding the operation of that fund when decisions by intergovernmental bodies with programme budget implications were taken after the Secretary-General had submitted his budget, those additional implications were subject to the operation of the contingency fund. In the current case, the Secretary-General had prepared his budget proposals for 2002-2003 at a time when the possible programme budget implications of draft resolution A/55/L.82 had not been known. It was perfectly proper for the Committee to be considering those implications since there was a draft resolution before the plenary and the Rules of Procedure of the General Assembly required the Assembly to receive the advice of the Fifth Committee on the programme budget implications of any draft resolution before taking a decision. Any amendments to the budget for the biennium 2002-2003, as suggested by the representative of Belgium, would be made during the General Assembly's review of that budget at its fifty-sixth session.

11. The proposal contained in the Secretary-General's statement on the programme budget implications of draft resolution A/55/L.82 (A/C.5/55/45) would be included in a consolidated statement submitted by the Secretary-General in December before the Assembly's adoption of the budget, which would include all other programme budget implications to be charged to the contingency fund. It would be for the General Assembly to take a final decision. The Secretary-General's proposal did not imply that the amount of $295,100 should be appropriated immediately by the General Assembly but simply indicated that a final decision would be taken in December, taking into account the recommendations of the Fifth Committee. The suggested language therefore met concerns raised by some delegations about appearing to approve sums for the budget for the biennium 2002-2003, before it had been reviewed by the Assembly.

12. In response to the question from the representative of the Syrian Arab Republic, he said that it was a well-established practice of the Fifth Committee for the Chairman of the Advisory Committee to make oral statements and reports to the Committee. Those reports would eventually be published in all official languages.

13. **Mr. Hosang** (Budget Division) said that any conference-servicing costs in 2001 associated with the preparatory process for the Conference would be absorbed in the existing budget. If any additional costs arose, they would be reflected in the second performance report for the biennium.

14. **Mr. Mirmohammad** (Islamic Republic of Iran) said that the procedure proposed under the draft resolution seemed correct and the Conference in question was an important one. Speaking on behalf of

the Group of 77 and China, he urged the Committee to support the statement of programme budget implications submitted by the Secretary-General (A/C.5/55/45) and the comments made in that connection by the Chairman of the Advisory Committee.

15. **Mr. Nakkari** (Syrian Arab Republic) supported the statement made on behalf of the Group of 77 and China. His delegation also attached great importance to the Conference. He reiterated his objection to the lack of written comments by the Advisory Committee. The rules specified that there should be written documentation and oral reports by the Chairman of the Advisory Committee should only be exceptional.

16. **Mr. Fujii** (Japan) said he was still concerned at the specificity of the language in paragraph 7 of document A/C.5/55/45, which dealt with the programme budget implications with respect to Section 11A of the budget, in particular UNCTAD participation in the preparatory process.

17. **Mr. Seth** (Department of Economic and Social Affairs) said, in response to the concern voiced by the representative of Japan, that under paragraph 8 of the draft resolution (A/55/L.82) various expert panels and round tables were being organized to support and enrich the Conference. The UNCTAD seminar on market access was very relevant to the agenda of the Conference.

18. **Mr. Yussuf** (United Republic of Tanzania) agreed with the representative of Pakistan that the Committee should not appear to reject all efforts to use the contingency fund. The matter under consideration had arisen as a contingency and that was what the fund had been created for by the General Assembly. Delegations agreed that the Conference was important and that the Secretary-General needed adequate resources for the preparatory process. The Committee had heard the advice of the Chairman of the Advisory Committee on the matter, including his assurances as to the correctness of the procedure, and should now adopt the proposal made in good faith by the Secretary-General.

19. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) noted that the contingency fund and its resources had already been approved by the General Assembly. In particular, paragraph 14 of General Assembly resolution 55/233 specified the size and use of the contingency fund. He proposed that the end of the proposal, starting from the words "be charged against ...", should be amended to read "be subject to the procedures for the use and operation of the contingency fund for the biennium 2002-2003".

20. **Mr. Kandanga** (Namibia) said that the amendment proposed by the Chairman of the Advisory Committee should meet the concerns expressed by certain delegations.

21. **Mr. Chandra** (India) said that his delegation would have preferred explicit approval of the expenditure to be charged against the contingency fund subject to the procedures for the use and operation of the fund. The force of General Assembly resolution 41/213 on the administrative and financial functioning of the United Nations seemed to be diminishing each year. He proposed that the Committee suspend its deliberations for 15 minutes to work out a compromise text.

The meeting was suspended at 11.50 a.m. and resumed at 12.05 p.m.

22. **The Chairman** proposed that, based on the informal consultations held during the suspension, the Committee should take the following decision:

> "Based on the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the Fifth Committee decides to inform the General Assembly that, should it adopt draft resolution A/55/L.82, the additional requirement of $295,100 related to activities to be carried out in 2002, in the context of the last months of the preparatory process of the International Conference on Financing for Development, would be subject to the procedures for the use and operation of the contingency fund for the biennium 2002-2003, in accordance with General Assembly resolution 41/213 of 19 December 1986 and 42/211 of 21 December 1987 and in the context of the consideration of the proposed programme budget for the biennium 2002-2003."

23. *It was so decided.*

Agenda item 122: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*)

Letter dated 5 July 2001 from the President of the General Assembly addressed to the Chairman of the Fifth Committee (A/C.5/55/44)

24. **The Chairman** drew the Committee's attention to a letter dated 5 July 2001 from the President of the General Assembly addressed to the Chairman of the Fifth Committee (A/C.5/55/44) transmitting a letter dated 29 June 2001 from the Chairman of the Committee on Contributions regarding its report on the requests for exemption under Article 19 of the Charter of the United Nations from Burundi, the Comoros, Georgia and the Republic of Moldova, for appropriate action by the Fifth Committee.

25. **Mr. Nteturuye** (Burundi) said that, despite the difficulties caused by its ongoing civil war, Burundi had made a payment of $136,565 to the Organization on 12 June 2001. Internal procedures had delayed the release of the funds by the Central Bank of Burundi and the amount had also been reduced as a result of the rapid depreciation of the national currency. The final amount paid to the Organization had therefore not been enough to prevent the loss of Burundi's voting rights in the General Assembly, as provided for in Article 19 of the Charter. While Burundi took its obligations to the Organization very seriously, it was one of the five poorest countries in the world and even the staff of its Permanent Mission to the United Nations were not spared the difficulties that resulted from the country's resource constraints. Burundi therefore requested an exemption under Article 19, while the Government sought the additional funds to fully meet its obligations to the Organization.

26. **Mr. Chandra** (India), supported by **Mr. Orr** (Canada), speaking also on behalf of Australia and New Zealand, said that Burundi was a most deserving case for exemption under Article 19. He suggested that the meeting be briefly suspended to permit members to discuss informally the possible language of a draft decision that might be recommended to the General Assembly.

27. **Mr. Nakkari** (Syrian Arab Republic), joined by **Ms. Sun** Minqin (China), **Mr. Mumbey-Wafula** (Uganda), **Mr. Fujii** (Japan), **Mr. Lewyllie** (Belgium), on behalf of the European Union, **Mr. Chaudhry** (Pakistan), **Mr. Yussuf** (United Republic of Tanzania), **Mr. Barnwell** (Guyana), **Ms. Lajous** (Mexico), **Mr. Benítez Versón** (Cuba), **Mr. Kamenov** (Bulgaria) and **Ms. Chebomui** (Kenya), expressed understanding for the situation faced by Burundi, acknowledged the genuine effort which that State had made to meet its obligations to the Organization, and supported the request of Burundi for an exemption under Article 19 of the Charter.

The meeting was suspended at 12.40 p.m. and resumed at 1 p.m.

28. **The Chairman** proposed that, on the basis of the informal consultations held during the suspension, the Fifth Committee should recommend to the General Assembly the following draft decision:

"*The General Assembly*,

"*Having considered* the letter dated 5 July 2001 from the President of the General Assembly addressed to the Chairman of the Fifth Committee,

"(a) *Endorses* the recommendations of the Committee on Contributions as transmitted in the letter dated 5 July 2001 from the President of the General Assembly addressed to the Chairman of the Fifth Committee transmitting a letter dated 29 June 2001 from the Chairman of the Committee on Contributions regarding the recommendations of the Committee on Contributions and *decides* that the failure of the Comoros, Georgia and the Republic of Moldova to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter of the United Nations was due to conditions beyond their control and that they should be permitted to vote in the General Assembly until 30 June 2002;

"(b) *Also decides*, welcoming the undertaking and assurances provided by the Permanent Representative of Burundi, to permit Burundi to vote in the General Assembly until 30 June 2002."

29. *It was so decided.*

The meeting rose at 1.05 p.m.